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REMARKS

Claims 26, 27, 29, 30, and 32-34 are currently under consideration in this case; claims 1-25 are cancelled and claims 28 and 31 stand withdrawn as being drawn to a non-elected invention. The February 13, 2008, Office action rejected claims 26, 27, 29, 30, and 32-34 under 35 USC 112, second paragraph, and under 35 USC 102. To expedite prosecution of this case, this Amendment and Response amends claims 26, 29, and 34, all without prejudice or disclaimer. Applicant reserves the right to pursue the subject matter of the original claims in co-pending applications. Support for the amendments may be found in the originally filed specification, claims and figures; no new matter has been introduced. After entry of this amendment, claims 26-34 remain pending in the application including 5 independent claims; two of which currently stand withdrawn from consideration. In view of the amendments and remarks presented in this paper, reconsideration of the application is respectfully requested.

Claim Rejections under 35 USC §112

In the February 13, 2008, Office action, the Examiner rejected claims 26, 27, 29, 30, and 32-34 under 35 USC 112, second paragraph, as being indefinite. In one aspect, the Examiner's rejection is based on a lack of antecedent basis for "the actuator". In a second aspect, the Examiner has required the recitation of structural limitations that enable the functional limitations currently recited in the claims. For the following reasons, reconsideration and withdrawal of these §112 rejections are respectfully requested.

Applicant has amended claim 26 so as to properly introduce each new element. Accordingly, Applicants submit this aspect of the §112 rejection is no longer proper.

Applicant has also amended claims 26, 29, and 34 so as to address the Examiner's objection to the employment of functional limitations. Applicant submits that the amended claims now positively recite structural limitations that enable the functions recited in the original claims. Accordingly, Applicant respectfully submits that claims 26, 29, and 34, as amended, are allowable. Since claims 27, 30, 32 and 33 variously depend from amended claims 26, 29, and 34, claims 27, 30, 32 and 33 are also allowable. Reconsideration and withdrawal of these rejections of claims 26, 27, 29, 30, and 32-34 are requested.

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Claim Rejections under 35 USC §102

In the February 13, 2008, Office action, the Examiner rejected claims 26, 27, 29, 30, and 32-34 under 35 USC 102(b) as being anticipated by Boecking (WO 00/11339). For the following reasons, reconsideration and withdrawal of these rejections are respectfully requested.

Applicant has amended claims 26, 29, and 34 to emphasize that: (a) the valve member is provided with an annular recess; (b) a further recess is provided in the bore of the piston member; and (c) the mechanical coupler comprises a C-shaped spring received within the annular recess and arranged to cooperate with the further recess so as to mechanically couple the piston member to the valve member during an initial retraction of the actuator and to mechanically de-couple the piston member from the valve member after completion of the initial retraction of the actuator. Applicants submit that it is this combination of structural elements that enables the actuator arrangement to apply an initial retracting force to the piston member during the initial retraction of the actuator arrangement while the valve member is mechanically coupled to, and, thus, constrained to move with, the piston member away from the valve seating; and that enables the actuator arrangement subsequently to apply a second retracting force to the piston member, while the valve member and the piston member are mechanically decoupled from, and may thus move relative to, one another. These amendments find full support in the originally filed claims, specification, or drawings.

Neither Boecking nor any other prior art reference discloses a fuel injector wherein (a) a valve member is provided with an annular recess; (b) a further recess is provided in the bore of a piston member; and (c) a mechanical coupler comprises a C-shaped spring received within the annular recess and arranged to cooperate with the further recess so as to mechanically couple the piston member to the valve member during an initial retraction of the actuator and to mechanically de-couple the piston member from the valve member after completion of the initial retraction of the actuator, as required by Applicant's amended claims 26, 29, and 34. Accordingly, Applicant respectfully submits that claims 26, 29, and 34, as amended, are allowable. Since claims 27, 30, 32 and 33 variously depend from amended claims 26, 29, and 34, claims 27, 30, 32 and 33 are also allowable. Reconsideration and withdrawal of these rejections of claims 26, 27, 29, 30, and 32-34 are requested.

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CONCLUSION

In view of the foregoing, Applicant requests the withdrawal of the rejections of claims 26, 27, 29, 30, and 32-34. Reconsideration of the application and allowance of all pending claims is earnestly solicited. Accordingly, the Examiner is requested to reconsider and allow all of the pending claims and pass the case to issue. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, the Examiner is invited to contact the undersigned at the Examiner's convenience.

Please charge any necessary fees, including any extension of time, or any other fee deficiencies to Delphi Technologies, Inc., Deposit Account No. 50-0831.

Respectfully submitted,

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